

FILED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

2009 NOV -6 PM 3:42

CLERK  
FOR THE DISTRICT

JASON DILLARD,

PLAINTIFF,

vs.

PRS ASSETS, LLC

AND

WILLIAM R. RICHARDS, P.C.,

DEFENDANTS.

Cause Number:

2 09 C V 373

COMPLAINT AND DEMAND FOR JURY TRIAL - INDIVIDUAL

Plaintiff, Jason Dillard (hereinafter referred to as "Mr. Dillard"), on behalf of himself, by counsel, Michael P. McIlree, for his Complaint against Defendants, PRS Assets, and William R. Richards, P.C., alleges and states as follows:

INTRODUCTION

1. This is an action for damages brought by the Plaintiff, ("Mr. Dillard"), for the Defendants' violations of the Federal FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692, *et seq.* (hereinafter referred to as "FDCPA") which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION

2. This Court has jurisdiction over the claims in this matter pursuant to 15 U.S.C. § 1692.

**PARTIES**

3. Mr. Dillard is an individual consumer currently residing in Porter County, Indiana.

4. PRS ASSETS, LLC is a debt collector and purchaser of debts which are in default incorporated in the State of Colorado.

5. PRS ASSETS, LLC is a debt collector as defined by 15 U.S.C. § 1692a(6). Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another or purchases debts which are in default.

6. William R. Richards, P.C. is a law office which regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another or purchases debts which are in default.

7. William R. Richards, P.C. is a debt collector as defined by 15 U.S.C. § 1692a(6).

**VIOLATION OF THE FD CPA BY PRS ASSETS, LLC AND WILLIAM R. RICHARDS P.C.**

8. On or about November 7, 2008, Defendant, William R. Richards P.C. sent a letter attempting to collect an alleged debt from Plaintiff. (A true and accurate copy of Exhibit A is attached.)

9. Plaintiff had communication with Mr. Richards office regarding the alleged debt.

10. During communications, an agent of Mr. Richards office indicated that if payment arrangements were not made with their office Plaintiff would be sued.

11. Said threat violates the FD CPA.

12. Plaintiff requested verification of the debt from Mr. Richards office and learned that the alleged debt was from an apartment rental in 1999.

**13.** Threatening to take legal action on a time-barred debt violates the FDCPA.

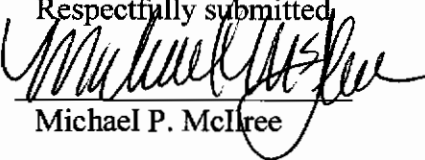
**14.** Indiana Code 34-11-2-7 (2) provides as follows:

The following actions must be commenced within six (6) years after the cause of action accrues:

(2) Actions for use, rents, and profits of real property.

WHEREFORE, plaintiff requests that the Court enter judgment in her favor against the Defendants, PRS ASSETS, LLC and WILLIAM R. RICHARDS, P.C. for violation of the FDCPA, and for:

1. Mr. Dillard's actual damages.
2. The maximum amount of statutory damages provided under the FDCPA.
3. Attorney's fees, litigation expenses and costs.
4. Such other and further relief as is appropriate.

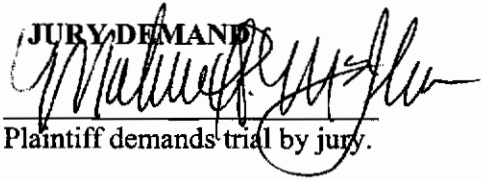
Respectfully submitted,  
By   
Michael P. McIlree

**VERIFICATION**

I declare that the statements contained in the Complaint are true and accurate to the best of my knowledge and belief.

  
JASON DILLARD, Plaintiff

**JURY DEMAND**

  
Plaintiff demands trial by jury.

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